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12 Attorneys for Defendants

JOHNSON & JOHNSON INC. AND SCIOS

13 INC.

14 UNITED STATES DISTRICT COURT

15 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

16
17 UNITED STATES *ex rel* STROM,

18 Plaintiffs,

19 vs.

20 SCIOS INC. and JOHNSON & JOHNSON,

21 Defendants.

CASE NO. C 05-3004 CRB

**STIPULATION AND ~~[PROPOSED]~~
ORDER EXTENDING TIME IN WHICH
DEFENDANTS MUST MOVE TO
DISMISS OR OTHERWISE RESPOND
TO THE COMPLAINT AND SETTING A
BRIEFING SCHEDULE THEREON**

22
23 Trial Date: None Set

1 WHEREAS, the United States filed its Complaint in this matter on June 11, 2009; and

2 WHEREAS, Defendants Johnson & Johnson Inc. and Scios Inc. waived service of process
3 of the Government's complaint; and

4 WHEREAS, the deadline by which Defendants must move to dismiss or otherwise respond
5 to the Government's complaint is currently August 10, 2009; and

6 WHEREAS, the parties, through their undersigned counsel, have agreed to extend by 30
7 days the deadline by which Defendants must move or otherwise respond to the Complaint; and

8 WHEREAS, the parties, through their undersigned counsel, have further agreed to extend
9 by 30 days the deadline by which the government must oppose any motion to dismiss the
10 complaint, AND TO ESTABLISH AN AGREED-UPON BRIEFING SCHEDULE THEREON;

11 IT IS HEREBY ORDERED THAT:

12 Defendants shall file their motion to dismiss, or shall otherwise respond to the complaint,
13 on or before September 10, 2009; and

14 IT IS FURTHER ORDERED THAT:

15 The Government shall oppose any such motion by filing its opposition brief on or before
16 October 23, 2009; and

17 IT IS FURTHER ORDERED THAT:

18 Defendants' reply in support of its motion to dismiss shall be filed on or before November
19 6, 2009.

20 IT IS FURTHER ORDERED THAT:

21 Defendants' motion shall be heard by this Court on November 20, 2009, at 10:00 am~~pm~~
22 or at such other time as the Court may direct.

23 IT IS SO ORDERED.

24
25 Dated: July 24 2009



Hon. Charles R. Breyer
United States District Judge

1 Dated: July 22, 2009

QUINN EMANUEL URQUHART OLIVER &
HEDGES, LLP

2
3 By


John M. Potter

4 *Attorneys for Defendants Johnson & Johnson Inc.*
5 *and Scios Inc.*


6
7 Dated: July 22, 2009

8 By


SARA WINSLOW
JULIE A. ARBUCKLE
Assistant United States Attorneys

9
10 Dated: July 22, 2009

11 By


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Civil Division, U.S. Department of Justice

12 *Attorneys for the United States*

13
14
15 Dated: July 22, 2009

NOLAN & AUERBACH, P.A.

16
17 By


MATTHEW PAVONE

18 *Attorneys for Qui Tam Plaintiff Joe Strom*